

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF JACKSON

TUESDAY, OCTOBER 07, 2008

10:00 A. M.

AGENDA

CALL TO ORDER BY THE PRESIDENT

INVOCATION

PUBLIC HEARINGS

- 1 - RESOLUTION** adjudicating that certain parcels of land are in a condition that is a menace to the public health and safety of the community and authorizing the cleaning and/or removal of dilapidated buildings in cases numbered: 07-4118, 5395, 5403, 08-2297, 2915, 2994, 3077, 3078, 3081, 3330, 3426, 3506, 4031, 4057, 4146, 4208, 4222, 4229, 4283, 4450, 4451, 4452, 4453, 4455, 4456, 4457, 4459, 4460, 4463, 4464, 4465, 4466, 4467, 4480, 4484, 4485, 4486, 4487, 4488, 4489, 4492, 4493, 4494, 4502, 4505, 4506, 4507, 4508, 4509, 4510, 4513, 4514, 4515, 4516, 4517, 4518, 4519, 4520, 4523, 4524, 4525, 4526, 4527, 4528, 4530, 4558, 4562, 4563, 4570, 4572, 4573, 4575, 4578, 4579, 4581, 4583, 4584, 4585, 4589, 4591, 4593, 4595, 4597, 4599, 4600, 4602, 4603, 4604, 4605, 4606, 4608, 4609, 4610, 4611, 4614, 4615, 4616, 4617, 4618, 4619, 4621, 4622, 4624, 4625, 4626, 4628, 4629, 4631, 4636, 4637, 4638, 4641, 4645, 4647, 4648, 4649, 4650, 4651, 4652, 4654, 4655, 4656, 4659, 4661, 4662, 4663, 4664, 4665, 4666, 4667, 4668, 4669, 4670, 4671, 4695, 4696, 4697, 4698 and authorizing that notices to proceed be issued, and file Lis Pendens (McMillin, Lewis, Melton) (10/07/08)

- 2 - RESOLUTION** adjudicating the actual cost of cleaning property, imposing a penalty, cases numbered: 04-751, 05-4989, 07-3454, 3455, 3464, 3469, 4209, 5065, 5706, 5944, 08-1513, 1883, 2281, 2282, 2284, 2285, 2394, 2622 assessing same to said real property, establishing a lien against same, authorizing the tax collector to sell such property in satisfaction therefore and directing the enrollment of this resolution as a judgment (McMillin, Lewis, Melton) (10/07/08)

INTRODUCTIONS

CONSENT AGENDA

- 3 - **ORDER** authorizing the Mayor to submit a grant application to the Mississippi Department of Environmental Quality seeking \$50,000 and to execute any and all documents necessary to accept and administer a grant upon award for funding a Waste Tire Program (Boyd, Hartley, Melton) (10/07/08)

- 4 - **ORDER** accepting the bid of Mid-South Equipment Co. for a Rubber Tire Front End Loader in the amount of \$197,500 (Bid No. 76044-070108) (Greer, Hartley, Boyd, Melton) (10/07/08)

- 5 - **ORDER** authorizing the Mayor to apply for funding from the Mississippi Department of Environmental Quality for disposal of household hazardous waste (Boyd, Hartley, Melton) (10/07/08)

- 6 - **ORDER** authorizing the Mayor to execute a Memorandum of Understanding with the Hawkins Field Industrial Association and granting permission for the association to install decorative signs in municipal right of way at various locations leading to the Industrial Park (Boyd, Willis, Burns, Melton) (10/07/08)

- 7 - **ORDER** to renew contract with State-Wide General Insurance Agency, Inc. on providing "24-Hour Accidental Death and Dismemberment" Insurance Coverage for Hazardous Occupations in the City of Jackson's Workforce from October 1, 2008 through September 30, 2009 (O'Reilly-Evans, J. Anderson, Melton) (10/07/08)

- 8 - **ORDER** authorizing the Mayor to execute Subgrant Agreement with Senior Service America, Inc. (SSAI) in the amount of \$780,429 for the City to sponsor a Senior AIDES Program for the 2008-2009 Fiscal Year (Raff, Melton) (10/07/08)

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- 9 - **ORDER** authorizing the Mayor to execute closeout documents for Grant No. AD-16177-07-60-A-24 with Senior Service America, Inc. (SSAI) for the twelve month period ending June 30, 2008 (Raff, Melton) (10/07/08)

- 10 - **ORDER** authorizing the Mayor to execute Contract No. 625Q691-A between the City of Jackson, Mississippi/Human and Cultural Services/Early Childhood Development Division and the Mississippi Department of Human Services (Raff, Reed, Melton) (10/07/08)

- 11 - **ORDER** authorizing a 48-month rental agreement with Digitec for Gestetner Digital Copiers to be used by the Jackson Police Department (Pugh, McMillin, Melton) (10/07/08)

- 12 - **ORDER** authorizing the execution of a renewal on a Maintenance Agreement for the Automated Fingerprint Identification System (AFIS) for the period of January 1, 2009 to December 31, 2010 between NEC Corporation of America, formerly NEC Solutions America Inc. and the City of Jackson (Pugh, McMillin, Melton) (10/07/08)

- 13 - **ORDER** authorizing the Mayor to execute an agreement with Mississippi Children's Home Society addressing the use of an unimproved and platted street, Kavanaugh (Boyd, Willis, Burns, Melton) (10/07/08)

INTRODUCTION OF ORDINANCES

- 14 - **ORDINANCE** amending Section 118-266 of the Code of Ordinances of the City of Jackson to reduce the speed limit on Harriotte Avenue to 25 miles per hour (Boyd, Willis, Burns, Melton) (10/07/08)

- 15 - **ORDINANCE** amending the Sign Ordinance regulations of the Jackson Code of Ordinances to provide a procedure for variances from the Sign Ordinance in the Central Business District (O'Reilly-Evans, Melton) (10/07/08)

REGULAR AGENDA

- 16 - **CLAIMS** (Hill, Melton) (10/07/08)

- 17 - **PAYROLL DEDUCTIONS** (Hill, Melton) (10/07/08)

- 18 - **ORDER** amending the City of Jackson's pay plan to increase each step in the pay plan by \$600.00 annually for all city employees, excluding sworn police officers and firefighters, effective October 1, 2008 and to increase each step in the pay plan by \$1,200.00 annually to all sworn police officers and firefighters effective October 1, 2008 (McKay, Hill, Melton) (10/07/08)

- 19 - **ORDER** authorizing the Mayor to execute Change Order #1/Final payment to the contract of Hemphill Construction Co. Inc. increasing the contract amount by \$633.80 resulting in a final cost of \$122,565.80 and any and all related documents and further authorizing Publication of Notice of Completion of City of Jackson Traffic Calming Phase 2, Federal Aid Project TCSP-0250-00(021)103924-302000 (Boyd, Willis, Burns, Melton) (10/07/08)

- 20 - **ORDER** authorizing rescission of Agreement No. 1 with the U.S.D.A. Natural Resources Conservation Service for the Emergency Watershed Protection Program to remove debris from an impacted watershed creating a hazard due to a Natural Disaster (April 4, 2008 tornado), and authorizing the Mayor to execute Agreement No. 2 with the cost/share to perform the work totaling \$74,500.00 with the City of Jackson paying twenty-five percent of the total cost (\$18,625.00) (Williams, Willis, Boyd, Melton) (10/07/08)

- 21 - **ORDER** approving: (1) Amendment Number 8, dated April, 2008, to Urban Renewal Plan, City of Jackson, Mississippi, Central Business District Development Program Project No. 1, dated February, 1981, as previously amended by Amendments Numbered 2, 3, 4, 5, 6 and 7 thereto dated March, 1984, October, 1984, March, 1985, July, 1986, September, 1986, and May, 1987, respectively, for the Urban Renewal Project Designated "Central Business District Development Program Project No. 1"; (2) Urban Renewal Plan, as amended; and (3) Urban Renewal Project as described in Urban Renewal Plan, as amended (Ealey, Melton) (10/07/08)

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- 22 - **ORDER** employing Stimley-Brown Law Firm, PLLC to serve as bond counsel for the Jackson State Foundation Development Project Tax Increment Financing (“TIF”) Bond Transaction (O’Reilly-Evans, Melton) (10/07/08)

- 23 - **ORDER** authorizing the Mayor to execute a professional service agreement with PPM Consultants to provide Phase I Hazardous Waste Brownfield Assessments and Petroleum Brownfield Assessments in the City of Jackson (Walker, Holbrook, Melton) (10/07/08)

- 24 - **ORDER** authorizing the Mayor to execute a professional service agreement with C & B Enterprise, Inc. to provide Phase I Hazardous Waste Brownfield Assessments and Petroleum Brownfield Assessments in the City of Jackson (Walker, Holbrook, Melton) (10/07/08)

- 25 - **ORDER** authorizing the Mayor to execute a professional service agreement with Environmental Management Services, Inc. to provide Phase I Hazardous Waste Brownfield Assessments and Petroleum Brownfield Assessments in the City of Jackson (Walker, Holbrook, Melton) (10/07/08)

- 26 - **ORDER** authorizing payment of attorney fees incurred in that certain lawsuit styled “State of Mississippi v. Frank Melton, Marcus Wright and Michael Recio” in the Circuit Court of the First Judicial District of Hinds County, Mississippi, Cause No. 06-0-718 (Bluntson, Stokes) (10/07/08)

- 27 - **RESOLUTION** of the City Council of the City of Jackson, Mississippi determining the necessity for and invoking the authority granted to municipalities with respect to Tax Increment Financing as set forth in Chapter 45 of Title 21 and Chapter 64 of Title 57, Mississippi Code of 1972, as amended, determining that the Jackson State Foundation Development Project is a project eligible for Tax Increment Financing, that a public hearing be conducted in connection with the Tax Increment Financing Plan; and for related purposes (O’Reilly-Evans, Melton) (10/07/08)

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- 28 - ORDER** authorizing the City of Jackson to settle all claims and pay legal fees and expenses incurred in those certain lawsuits styled as follows: “KGEN Hinds, LLC vs. Mike Barnes, at al., filed in the Chancery Court of Hinds County, Mississippi, First Judicial District, Civil Action Number G2007-186 O/3 (“2006 Chancery Lawsuit”) (O’Reilly-Evans, Teeuwissen, Melton) (10/07/08)

- 29 - ORDER** authorizing the City of Jackson to settle easement claims incurred in that certain matter styled as F. Harris Virden vs. City of Jackson, et al., Hinds County Chancery Court, Cause Number G2006-1116 O/3 (O’Reilly-Evans, Teeuwissen, Melton) (10/07/08)

- 30 - ORDER** authorizing the Office of the City Attorney to retain experts for litigation in the lawsuit styled, “Dyanne Lewis (Linda White) vs. the City of Jackson, Mississippi, et al; Civil Action No: 251-07-361CIV (O’Reilly-Evans, Teeuwissen, Melton) (10/07/08)

- 31 - DISCUSSION** Morgan (Stokes) (10/07/08)

- 32 - DISCUSSION UPDATE** Shady Oaks Community (Stokes) (10/07/08)

- 33 - DISCUSSION** Citywide Street Resurfacing (Mayor) (09/29/08, 10/07/08)

- 34 - DISCUSSION** Maple Street Festival Park (Mayor) (09/29/08, 10/07/08)

- 35 - DISCUSSION** Legal Matters (Mayor) (09/29/08, 10/07/08)

- 36 - DISCUSSION** JATRAN Grant (Weill) (10/07/08)

PROCLAMATION

PROCLAIMING the month of October as, **BREAST CANCER AWARENESS MONTH** (Melton)

PRESENTATIONS

PRESENTATION (Crisler)

RESOLUTIONS

RESOLUTION honoring and commending Jackson State University Kids Kollege for Twenty five years of service to future leaders in the City of Jackson and the State of Mississippi (Stokes)

RESOLUTION commemorating the Life, Legacy and Birthday of Mrs. Fannie Lou Hamer (October, 1917-March 14, 1977) (McLemore)

AGENDA ITEMS IN COMMITTEE

ORDINANCE to amend Section 10 of the Code of Ordinances to prescribe opening and closing times for bar rooms, lounges, nightclubs, brewpubs, restaurants and other commercial businesses where beer, light wine, wine and alcoholic beverages may be consumed and to provide related definitions (Crisler, Melton) (09/29/08) (Planning Committee)

ORDINANCE of the City Council of Jackson, Mississippi renaming Chicago Street from JSU Parkway to Pearl Street to David "Wavee Dave" Chambers Drive (Stokes) (08/26/08) (Planning Committee)

ORDINANCE of the City Council of Jackson, Mississippi regulating the acceptance of coins as legal tender in the City of Jackson (Stokes) (08/26/08) (Budget Committee)

ORDER of the City Council of Jackson, Mississippi authorizing the one year moratorium on the issuance of privilege licenses for pawn shops in the City of Jackson (Stokes) (09/26/08) (Planning Committee)

ORDINANCE of the City Council of Jackson, Mississippi, renaming Lakeland Senior Baseball Field to Michael D. Johnson Field (Barrett Simon) (09/09/08) (Planning Committee)

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ORDINANCE of the City Council of Jackson, Mississippi regulating the unlawful trespass and theft of fuel from vehicles in the City of Jackson (Stokes) (06/03/08) (Planning Committee)

ORDINANCE of the City Council of the City of Jackson, Mississippi naming the library of the Jackson/Hinds Library System located at 807 E. Northside Drive the Charles W. Tisdale Library after the famous Mississippi author, writer, editor and newspaper publisher Charles W. Tisdale (Stokes) (05/20/08) (Planning Committee)

ORDINANCE of the City Council of Jackson, Mississippi establishing the wearing of pants below waistline as to expose one's underwear to be unlawful (Stokes) (03/25/08) (Planning Committee)

RESOLUTION urging the Jackson Redevelopment Authority to initiate the process to rescind Amendment Number Two dated November 2007, to the Urban Renewal Plan dated February 1987, as previously amended September, 1994, for Urban Renewal Project designated "Jackson State Area Project" and Urban Renewal Project as described in the Urban Renewal Plan, as amended, allowing eminent domain to acquire owner occupied residential property (Tillman) (03/25/08) (Planning Committee)

ORDINANCE of the City Council of Jackson, Mississippi establishing the honorary renaming of Tudor Street to Junious Tobias Drive (Stokes) (Planning Committee)

ORDINANCE of the City Council of Jackson, Mississippi requiring security personnel at convenience stores during hours of operation (Stokes) (01/29/08) (Rules Committee)

ORDER authorizing the Mayor to execute a professional service agreement with H. D. Lathon d/b/a H. D. Lathon and Associates, LLC to provide consulting services on the Farish Street Historic District Project (Ainsworth, Walker, Melton) (Budget Committee)

ORDINANCE amending Section 2-336 of the Code of Ordinances of the City of Jackson, Mississippi, to establish Information Technology Department (Hill, Ward, Melton) (11/07/07) (Budget Committee)

ORDER amending the City of Jackson's pay plan to establish the classification title of Constituent Services and Information Director, Range 38 (Crumpton, Melton) (10/23/07, 10/29/07) (Budget Committee)

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ORDER confirming the Mayor's appointment of Goldia M. Revies as Director of the Department of Constituent Services and Information for the City of Jackson (Melton) (01/23/07, 10/29/07) (Budget Committee)

DISCUSSION Comcast (McLemore) (07/17/07) (Quality of Life)

ORDINANCE of the City Council of Jackson, Mississippi authorizing the emergency abatement of drug houses in the City of Jackson (Stokes) (05/22/07) (Planning Committee)

ORDINANCE of the City Council of Jackson, Mississippi naming City swimming pool (Old V.A. Pool) on South Drive to honor Henry Minion, Jr., (Stokes) (09/21/04, 05/22/07) (Rules Committee)

ORDINANCE of the City Council of Jackson, Mississippi naming City swimming pool (Grove Park Pool) to honor Richard Richardson, Sr. (Stokes) (09/21/04, 05/22/07) (Rules Committee)

DISCUSSION Wrecker Billing (Crisler) (03/19/07) (Transportation Committee)

ORDINANCE governing hiring of temporary employees through temporary agencies by the City of Jackson, Mississippi (Crisler, McLemore, Barrett-Simon) (01/02/07) (Budget Committee-Introduction of Ordinance)

ORDINANCE of the City Council of Jackson, Mississippi establishing rule of succession Vice President to position of City Council President when City Council President Seat vacated (Stokes) (07/11/06) (Rules Committee)

DISCUSSION Enhancement for Downtown Development (McLemore)

ORDINANCE of the City Council of Jackson, Mississippi renaming Lemon Street (from Amite Street to Deerpark Street) AMOS WRIGHT DRIVE (Stokes) (08/02/05) (Planning Committee)

ORDINANCE of the City Council of Jackson, Mississippi renaming Near Street (from Poindexter Street to Lemon Street) DR. DENNIS HOLLOWAY DRIVE (Stokes) (08/02/05) (Planning Committee)

ORDINANCE of the City Council of Jackson, Mississippi renaming Kelly Avenue (from Hancock Street to Horton Avenue) CARLOS BERNARD BELL AVENUE (Stokes) (09/07/04) (Planning Committee)

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REPORTS FROM MEMBERS, MAYOR OR DEPARTMENT DIRECTORS

GENERAL PUBLIC COMMENTS

ANNOUNCEMENTS

ADJOURNMENT